

STATE OF SOUTH DAKOTA



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September 29, 2008

Robert L. Graham  
Jenner & Block, LLP  
330 N. Wabash Avenue  
Chicago, IL 60611

RECEIVED

SEP 30 2008

AIR QUALITY  
PROGRAM

RE: Hyperion proposed PSD permit (Union County, SD)

Dear Mr. Graham:

The Department of Environment and Natural Resources forwarded a copy of your September 23, 2008, letter concerning the above permit to me. Department will be responding directly to you concerning your request for an extension.

However, I note that you anticipate you will be requesting certain documents from the Department regarding this permit application. I am counsel to the Department with regard to this matter. Therefore, please forward any document requests directly to me at the address noted above. In addition, you can contact me directly by phone at (605) 733-4245 (desk phone), by fax at (605) 773-4106, and by email at [roxanne.giedd@state.sd.us](mailto:roxanne.giedd@state.sd.us).

Very truly yours,

A handwritten signature in cursive script that reads "Roxanne Giedd".

Roxanne Giedd  
Deputy Attorney General

RG *js*

By facsimile (312)527-0484 and U.S. Mail  
cc: Brian Gustafson, DENR ✓